

Absent—Excused

Bullock	Lemens
Fain	Shivers
Formby	Spears
Kelley	

The Senate, accordingly, at 12:30 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

FORTY-FOURTH DAY

(Thursday, April 1, 1943)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Cotten	Morris
Graves	Ramsey
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

A quorum was announced present.

Rev. S. B. Culpepper, Chaplain, offered prayer.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of the legislative day of yesterday was dispensed with and the Journal was approved.

Bill Ordered Mimeographed

Senator Aikin moved that the Educational Appropriation bill (S. B. No. 333) be mimeographed and be not printed.

The motion prevailed.

Message from the Governor

The following message from the Governor was received and was read to the Senate:

Austin, Texas,
April 1, 1943.

To the Members of the Forty-eighth Legislature:

I submit for your consideration as an emergency matter, under the au-

thority of Section 5, Article III of the Constitution, the following subject of legislation:

"An Act amending Article 5949, Vernon's Civil Statutes of Texas, 1925, as amended; providing for the appointment of Notaries Public for each County of the State of Texas . . . and declaring an emergency."

The present law governing the procedure of appointing Notaries Public was passed in 1881, at a time when the number of appointments was comparatively small and the accompanying clerical work involved was of no great consequence. The procedure has not been revised since the adoption of the constitutional amendment placing the appointive power of Notaries Public in the office of the Secretary of State.

The present law illogically requires that a commission be issued to all appointees before they are given notice of their appointment by the county clerk, compliance with which is a physical impossibility since the number of appointments has risen to approximately 60,000 each biennium, a great majority of whom qualify on June first of odd numbered years. The office of the Secretary of State, some years ago was forced to abandon the present statutory procedure and issue commissions to Notaries Public only after they had qualified for their office. The Attorney General, however, has ruled that under the present law appointments thus made are illegal. It is made clear, however, in the ruling, that the acts of Notaries Public so appointed are not thereby invalidated.

Much confusion has arisen in the offices of various county clerks by reason of the fact that many applications for appointment were made without the mailing address and age of the applicant being known.

The present law is further deficient in that no requirement is made with respect to sureties on the bonds of notaries; and some misunderstandings have arisen in the past as to whether the records of appointment were public before the officer had qualified.

I am advised by the Secretary of State that a bill has been prepared which is designed to clarify the above matters in accordance with various rulings of the Attorney General, and

particularly to legalize the present method that is being followed in making such appointments, which is considered far more desirable than a request to the Legislature for additional personnel which would be required to comply with the present law.

Respectfully submitted,
COKE R. STEVENSON,
Governor of Texas.

Reports of Standing Committees

Senator Weinert submitted the following report:

Austin, Texas,
April 1, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence to whom was referred H. B. No. 669, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Senator Moffett submitted the following reports:

Austin, Texas,
April 1, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred H. B. No. 368, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Vice Chairman.

Austin, Texas,
April 1, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred H. C. R. No. 28, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOFFETT, Vice Chairman.

Austin, Texas,
April 1, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred H. B.

No. 316, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Vice Chairman.

Austin, Texas,
April 1, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred H. B. No. 352, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with amendments and be printed.

MOFFETT, Vice Chairman.

Senator Chadick submitted the following report:

March 31, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Privileges and Elections to whom was referred H. B. No. 98, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CHADICK, Chairman.

Senator Stone submitted the following report:

Austin, Texas,
Committee Room,
April 1, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish to whom was referred H. B. No. 606, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

STONE, Chairman.

Senator Winfield submitted the following report:

Austin, Texas,
March 31, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office to whom was referred S. B. No. 75, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that

it do not pass but that the Committee substitute attached hereto do pass in lieu thereof.

WINFIELD, Chairman.

Senator Lovelady submitted the following report:

Committee Room,
Austin, Texas,
April 1, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Education to whom was referred H. B. No. 314, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

LOVELADY, Chairman.

Senate Concurrent Resolution 38

Senator Lovelady offered the following resolution:

S. C. R. No. 38, Relating to post-war objectives of United Nations.

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the Honorable Tom Connally, senior Senator from Texas and chairman of the Committee on Foreign Relations of the Senate of the United States, and said committee be and hereby are commended for the appointment of the particular sub-committee to whom are being referred resolutions concerning the ultimate objectives of the United Nations, not only because such action is most timely, but also because the grave issues involved must not be allowed to become partisan; and be it further

Resolved, That said sub-committee be and hereby is respectfully requested not to report any measure until it has canvassed the desires of the other United Nations; that its report be based on the necessity for definitely described international legislative, judicial, and executive agencies of a Federation of Nations, possessing adequate international military force and authority to secure mutual limitations on armaments of all nations and to prevent war between nations; and that such considered report, immediately after its adoption by the treaty-making authorities of the several United Nations, be given the widest promulgation pos-

sible as the peace aims of the United Nations for the following reasons:

1. It is not known how soon the Second World War will end, and unless such a program is then available, we shall be laboring under the same difficulties as at Versailles in not having a formula for permanent international peace that will meet with the approval and secure the ratification of the Senate;

2. The United Nations can better agree on their objectives while they are in need of each other as at present, than after they are more influenced by selfish interests that naturally develop when they are no longer in need of each other for their common safety;

3. The requirements for world peace in our generation are such that we should announce our purposes while our nations are ready to respond to the heroic, as they are now;

4. The uncertainty in regard to purposes after the present war aggravates the present suspicion and doubt as to the future of certain subjugated nations of Europe; and

5. A clear-cut authoritative program for the United Nations is required now to put the spirit of victory into the military and economic power they already possess; and be it further

Resolved, That copies of the resolution be sent to the Honorable Tom Connally as chairman of said Committee on Foreign Relations and to each member of said sub-committee.

The resolution was read and was referred to the Committee on Education.

Senate Concurrent Resolution 39

Senator Metcalfe offered the following resolution:

S. C. R. No. 39, Authorizing correction of S. B. No. 237.

Whereas, S. B. No. 237 has passed the Senate and the House, but has been recalled from the Governor's office for the purpose of making corrections thereon; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the Enrolling Clerk of the Senate be instructed to strike therefrom Section 3-a of the bill and that the caption thereof be rewritten to

conform to this change in the bill and that in this form the bill be enrolled and transmitted to the Governor for his signature.

The resolution was read, and by unanimous consent, it was considered at this time.

The resolution was adopted by the following vote:

Yeas—24

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Cotten	Morris
Graves	Ramsey
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Bullock	Lemens
Fain	Shivers
Formby	Spears
Kelley	

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 1, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolution:

H. C. R. No. 83, Commending men and women who served without pay on local draft boards and local rationing boards.

S. B. No. 7, "An Act to amend Article 4766, Revised Civil Statutes of 1925, as hereafter amended; and declaring an emergency."

S. B. No. 21, "An Act to provide that corporations organized without capital stock shall have the right to have their charters extended; naming the conditions under which such extensions will be granted by the Secretary of State; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives.

Bills Signed

The President signed in the presence of the Senate, after giving due notice thereof, the following enrolled bills:

H. B. No. 100, A bill to be entitled "An Act promulgating a statement of public policy; defining terms used in the Act; prescribing duties of labor unions; requiring the filing of certain information under oath with the Secretary of State; making the reports available to certain people; enacting regulations with reference to election of officers of labor unions; prohibiting financial contributions to political parties or candidates for office; releasing members who are serving in the armed forces from payment of back dues and assessments; requiring organizers to register with the Secretary of State and providing for the carrying of cards; requiring the filing of certain labor union agreements; making same available to certain parties; providing the statute of frauds is in no way vitiated; making it unlawful to make charges in excess of reasonable requirements; providing funds to remain under control of labor union members; enacting provisions relative to advance fees; making it unlawful for any labor union to require fees as a work permit; providing for the keeping of books of accounts; providing for use of such records in legal proceedings; providing certain rights of members; providing a penalty; providing for enforcement of the Act by civil procedure; making it the duty of certain officials of the State to enforce the Act; providing for liberal construction of the Act; providing a savings clause; and declaring an emergency."

S. B. No. 134, A bill to be entitled "An Act to amend Article 5736c of Chapter 287, H. B. No. 419, Acts of the Regular Session of the Forty-second Legislature so as to provide for greater punishment and penalties for violation; and declaring an emergency."

House Bill 56 on Passage to Third Reading

The President laid before the Senate, as the unfinished business, on its passage to third reading (the bill having been read second time on yesterday):

H. B. No. 56, A bill to be entitled "An Act providing for the suspension of the running of the primary and principal terms of certain State leases by the School Land Board in certain instances; and declaring an emergency."

Senator Stone offered the following amendment to the bill:

Amend H. B. No. 56 by striking out everything above the enacting clause and substituting in lieu thereof the following:

"A BILL

To Be Entitled

"An Act providing for the suspension of the running of the primary and principal terms of certain State leases by the School Land Board in certain instances, establishing conditions of and procedure governing the making and granting of applications for such suspension, providing for the suspension of any condition, obligation or duty under such leases, fixing the duration of such suspension and providing for the termination thereof and for the extension of the primary and/or principal terms of such leases, after the termination of such suspension, for a period equivalent to the period of suspension; providing for notice of termination of the period of suspension; preserving rights and privileges acquired under Chapter 287 of the Acts of the Forty-seventh Legislature, Regular Session; and declaring an emergency."

The amendment was adopted.

On motion of Senator Stone and by unanimous consent further consideration of the bill was postponed until Wednesday, April 7, 1943, immediately after the conclusion of the morning call on that day, and it was made a special order for that hour.

House Bill 669 on Second Reading

On motion of Senator Lovelady, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. B. No. 669, A bill to be entitled "An Act to amend Subdivision 29 of Article 199, Title 8, of the Revised Statutes of Texas, 1925, so as to change the time and terms of holding the 29th District Court in Hood, Palo Pinto and Erath Counties, con-

stituting the 29th Judicial District of Texas; etc.; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time and was passed to third reading.

House Bill 669 on Third Reading

Senator Lovelady moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 669 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Cotten	Morris
Graves	Ramsey
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Bullock	Lemens
Fain	Shivers
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Cotten	Morris
Graves	Ramsey
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Bullock	Lemens
Fain	Shivers
Formby	Spears
Kelley	

House Concurrent Resolution 42

Senator Metcalfe called from the table, for further consideration at this time:

H. C. R. No. 42, Authorizing the State Highway Department of Texas to lend certain equipment to the County of Grimes.

The President laid the resolution before the Senate.

Senator Brownlee offered the following amendment to the resolution:

Amend H. C. R. No. 42 by striking out the words "and requested" as they appear in the last paragraph.

The amendment was adopted.

Senator Mauritz offered the following amendment to the resolution:

Amend H. C. R. No. 42 by adding: "Providing the lending of this equipment is not inconsistent with the policy of the Highway Department."

On motion of Senator Metcalfe, the amendment was tabled.

Senator Lanning offered the following amendment to the resolution:

Amend H. C. R. No. 42 by striking out the word "continuous" in line 16.

The amendment was adopted.

Senator Lanning offered the following amendment to the resolution:

Amend H. C. R. No. 42 by adding after "Grimes" the following:

"or any other County in Texas."

Senator Metcalfe moved to table the amendment.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—9

Beck	Morris
Brownlee	Ramsey
Cotten	Stone
Metcalfe	Winfield
Moore	

Nays—13

Aikin	Lovelady
Chadick	Mauritz
Graves	Moffett
Hazlewood	Sulak
Jones	Weinert
Lane	York
Lanning	

Absent

Martin	Vick
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Absent—Excused

Bullock	Lemens
Fain	Shivers
Formby	Spears
Kelley	

The amendment was adopted.

The resolution as amended then was adopted.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 1, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 84, Authorizing Enrolling Clerk of the House to make certain corrections in H. B. No. 194.

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives.

Reports of Standing Committees

Senator Graves, by unanimous consent, submitted at this time the following report:

Austin, Texas,
April 1, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries to whom was referred H. B. No. 297, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be not printed.

GRAVES, Chairman.

Senator Hazlewood, by unanimous consent, submitted at this time the following report:

Austin, Texas,
April 1, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Oil, Gas and Conservation to whom was referred S. B. No. 283, have had same under consideration, and I am instructed to report it back with the recommendation that it do not pass but that the Committee substitute adopted in lieu thereof do pass and be printed.

HAZLEWOOD, Chairman.

Senator Winfield, by unanimous consent, submitted at this time the following report:

Austin, Texas,
March 31, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Banking to whom was referred S. B. No. 289, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with the Committee amendment attached hereto and be printed.

WINFIELD, Chairman.

Senate Bill 282 on Second Reading

The President laid before the Senate, on its second reading and passage to engrossment, and as a special order, the hour for the consideration of which had arrived:

S. B. No. 282, A bill to be entitled "An Act adding a new Article to Chapter 10, under Title 83, entitled Labor, of the Revised Civil Statutes of the State of Texas of the year 1925 codification providing for maximum fees that may be charged for persons joining labor unions in Texas; providing for certain penalties for members of labor unions for striking or ceasing to work without being duly authorized by the duly constituted authorities of the union of which they are members; providing for certain penalties for any person or persons making false and fraudulent promises in order to induce persons who are not members of a union to become union members of labor organizations in Texas; and amending Article 5186 of the Revised Civil Statutes of the State of Texas under Title 83, Chapter 10, entitled Labor, to provide for the referring by the Governor, by proclamation, controversies between employers and employees of organized groups as well as any misconduct or irregularity with reference to the charging of exorbitant or duplicate initiation fees where the same is a matter of public concern; and declaring an emergency."

The bill was read second time.

Senator Hazlewood moved that further consideration of the bill be postponed until next Tuesday, immediately after the morning call on

that day and that it be made a special order for that hour.

The motion prevailed unanimously.

Senate Bill 251 on Second Reading

The President laid before the Senate, on its second reading and passage to engrossment, and as a special order, the hour for the consideration of which had arrived:

S. B. No. 251, A bill to be entitled "An Act concerning trusts and trustees; providing for the creation of trusts and the regulation of trusts and trustees; listing the permissible purposes of trusts; defining terms; locating legal estate to trust property in certain types of trusts of realty; enumerating the methods of creation of trusts; reenacting Sections (a) and (b) of Article 7425 of the Revised Civil Statutes of Texas; providing for the deposit of trust funds by corporate trustees; regulating inter-trust transactions and transactions between trustees and their trusts; relating to the powers, duties and responsibilities of trustees in the management of trust properties, including investment of trust funds and the methods of allocating principal and income and apportioning expenses between tenants and remaindermen in cases not governed by trust instruments; defining the powers attached to the office of trustee and prescribing modes for the exercise of such powers, including the exercise thereof by co-trustees; fixing and delineating the tort and contractual liabilities of trustees and trust estates, providing for exoneration or reimbursement in the incurrence of certain of such liabilities, and prescribing a method whereby such liabilities may be enforced in the courts; enumerating the powers of trustors, including reserved powers, and beneficiaries; locating the legal estate of property subject to a trust and providing for the disposition of portions of legal or equitable estates not disposed of by the trust instrument; making provision for the death of trustees, authorizing the removal of trustees in certain contingencies, and providing for the selection of substitute and successor trustees and enumerating their powers and duties; etc.; and declaring an emergency."

The bill was read second time.

Senator Beck offered the following amendment to the bill:

Amend S. B. No. 251, Section 46, Subsection A to read as follows:

"In acquiring, investing, reinvesting, exchanging, retaining, selling, supervising and managing property for the benefit of another, the trustee shall exercise the judgment and care under the circumstances then prevailing which men of ordinary prudence exercise in the management of their own affairs; but in no event shall the trustee invest funds of the trust estate in notes, stocks and bonds except in the following investments:

"1. Government bonds and obligations, the payment of which are guaranteed by the Government.

"2. Bonds of the State of Texas and political subdivisions thereof, if not in default.

"3. Bonds of the several states and political subdivisions thereof, if not in default.

"4. Bonds of corporations with invested capital not less than \$100,000.00, provided the corporation has not defaulted in the payment of principal or interest on any of its obligations for a period of 10 years.

"5. Notes secured by first and superior mortgage or lien on improved real estate, provided the notes do not exceed 50% of the appraised value of the property securing the same at the time of their purchase."

The amendment was adopted.

The bill was passed to engrossment.

Senate Bill 251 on Third Reading

Senator Weinert moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 251 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Lane
Beck	Lanning
Brownlee	Lovelady
Chadick	Martin
Cotten	Mauritz
Graves	Metcalfe
Hazlewood	Moffett
Jones	Moore

Morris	Vick
Ramsey	Weinert
Stone	Winfield
Sulak	York

Absent—Excused

Bullock	Lemens
Fain	Shivers
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Cotten	Morris
Graves	Ramsey
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Bullock	Lemens
Fain	Shivers
Formby	Spears
Kelley	

Senate Bill 200 on Second Reading

The President laid before the Senate, on its second reading and passage to engrossment, and as a special order, the hour for the consideration of which had arrived:

S. B. No. 200, A bill to be entitled "An Act to be known as the Uniform Stock Transfer Act; providing how title to Certificates and Shares may be transferred; making a certificate fully negotiable; providing that delivery of an unindorsed certificate imposes an obligation to indorse; providing for warranties on sale of certificate; restricting attachment or levy against shares; making provisions regarding altered, lost or destroyed certificates; containing definitions; repealing Article 1334, Revised Civil Statutes, 1925, as amended, and any other Acts or parts of Acts inconsistent with this Act; providing a savings clause; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 200 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 200 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Cotten	Morris
Graves	Ramsey
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Bullock	Lemens
Fain	Shivers
Formby	Spears
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Cotten	Morris
Graves	Ramsey
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Bullock	Lemens
Fain	Shivers
Formby	Spears
Kelley	

Adjournment

Senator Winfield moved that the Senate adjourn until 10:00 o'clock a. m. Monday, April 5, 1943.

Senator Lovelady moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

Senator Aikin moved that the Senate recess to 2:30 o'clock p. m. today.

Question first recurring on the motion of Senator Winfield, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—5

Cotten	Metcalf
Lane	Winfield
Martin	

Nays—19

Aikin	Moffett
Beck	Moore
Brownlee	Morris
Chadick	Ramsey
Graves	Stone
Hazlewood	Sulak
Jones	Vick
Lanning	Weinert
Lovelady	York
Mauritz	

Absent—Excused

Bullock	Lemens
Fain	Shivers
Formby	Spears
Kelley	

Question next recurring on the motion of Senator Lovelady, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—12

Chadick	Martin
Cotten	Metcalf
Graves	Stone
Jones	Vick
Lane	Winfield
Lovelady	York

Nays—11

Aikin	Moore
Beck	Morris
Brownlee	Ramsey
Lanning	Sulak
Mauritz	Weinert
Moffett	

Absent

Hazlewood

Absent—Excused

Bullock	Lemens
Fain	Shivers
Formby	Spears
Kelley	

The Senate, accordingly, at 12:25 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.